

**PHYSICAL THERAPY BOARD OF CALIFORNIA****Consumer Protection Services Program**

1418 HOWE AVENUE, SUITE 16, SACRAMENTO, CA 95825-3204
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INTERNET <http://www.ptb.ca.gov>
EMAIL cps@dca.ca.gov

August 12, 2005

Citation No. 05-06-0142

Daniel Mundorff, P.T.
1170 La Vista Rd
Santa Barbara CA 93110-1237

License No. PT 25836

CITATION

Investigation of a complaint submitted revealed actions taken by you which violate sections of the law regulating the practice of physical therapy.

Based on interviews and a review of the patient records, it has been confirmed that physical therapist assistants were allowed to practice physical therapy without the proper supervision at the Fitness Aquatics and Sports Physical Therapy (FAST) in Goleta, Simi Valley, and Thousand Oaks, California.

A Citation is hereby issued to you in accordance with Section 125.9 of the Business and Professions Code for the violations described below.

FIRST CAUSE FOR CITATION***1. California Code of Regulations 1398.44. Adequate supervision***

A licensed physical therapist shall at all times be responsible for all physical therapy services provided by the physical therapist assistant. The supervising physical therapist has continuing responsibility to follow the progress of each patient, provide direct care to the patient and to assure that the physical therapist assistant does not function autonomously...

Based on records reviewed, it has been determined that you are subject to a Citation for your failure to provide adequate supervision of physical therapist assistants in the treatment of the following patients¹:

Patient F.D.

On August 9, 2001, August 28, 2001, and August 30, 2001, Steven Wright, P.T.A. provided physical therapy treatment without the required supervision documentation by a physical therapist.

On November 15, 2001, Barbara Kummer, P.T.A. provided physical therapy treatment without the required supervision documentation by a physical therapist.

Patient F.J.

On April 26, 2001, April 27, 2001, and May 4, 2001, David Campbell, P.T.A. provided physical therapy treatment without the required supervision documentation by a physical therapist.

On May 16, 2001, Steven Steinberg, P.T.A. provided physical therapy treatment without the required supervision documentation by a physical therapist.

Patient R.H.

On May 2, 2001 and May 9, 2001 Steven Steinberg, P.T.A. provided physical therapy treatment without the required supervision documentation by a physical therapist.

On May 4, 2001, Steven Scott Wright, P.T.A. provided physical therapy treatment without the required supervision documentation by a physical therapist.

On May 16, 2001 and May 18, 2001, David Campbell, P.T.A. provided physical therapy treatment without the required supervision documentation by a physical therapist.

Patient B.S.

On April 11, 2001, Steven Steinberg, P.T.A. provided physical therapy treatment without the required supervision documentation by a physical therapist.

¹Patient initials are used to identify each patient and to protect the patients' privacy. The full names will be provided to the Licensee upon request for discovery.

SECOND CAUSE FOR CITATION

2. *Business and Professions Code, Section 2660 (j)*

The aiding or abetting of any person to violate this chapter or any regulations duly adopted under this chapter.

Based on records reviewed, it has been determined that you aided and abetted the unlawful practice of physical therapy for allowing Steven Scott Wright, P.T.A., Barbara Kummer, P.T.A., David Campbell, P.T.A., and Steven Steinberg, P.T.A. to treat Patient F.D, Patient F.J., Patient R.H., and Patient B.S. without adequate supervision by a physical therapist.

THIRD CAUSE FOR CITATION

3. *Business and Professions Code, Section 2660 (k)*

The aiding or abetting of any person to engage in the unlawful practice of physical therapy.

Based on records reviewed, it has been determined that you aided and abetted the unlawful practice of physical therapy for allowing Steven Scott Wright, P.T.A., Barbara Kummer, P.T.A., David Campbell, P.T.A., and Steven Steinberg, P.T.A. to treat Patient F.D, Patient F.J., Patient R.H., and Patient B.S. without adequate supervision by a physical therapist.

ORDER

Further, **you are ordered to pay a fine of \$ 2,250.00 (\$750.00 for each cause)** to the Physical Therapy Board of California within 30 days after receipt of this Citation.

If you wish to contest all or any part of this Citation, complete the enclosed "Notice of Appeal -Request for Informal Conference" form and return it to this office within 10 days after receipt of this Citation. The date indicated on the order of abatement will be held in abeyance only for any violation(s) you wish to contest. The time to correct all uncontested violations will be adhered to as specified. In the alternative, you may, within 30 days after receipt of this Citation, request a formal administrative hearing before an administrative law judge under the Administrative Procedure Act.

FAILURE TO RETURN THE REQUEST FOR INFORMAL CONFERENCE FORM OR TO REQUEST AN ADMINISTRATIVE HEARING WITHIN THE TIMES INDICATED WILL WAIVE YOUR RIGHT TO ADMINISTRATIVELY CONTEST OR APPEAL THIS CITATION.

Administrative Fine

\$ 2,250.00

FOR YOUR PROTECTION AND TO ASSURE PROPER CREDIT,
PLEASE RETURN THE COPY OF THE CITATION
AND NOTE THE CITATION NUMBER ON YOUR CHECK
OR MONEY ORDER.

August 12, 2005

Date

Original Signed By:

STEVEN K. HARTZELL
Executive Officer

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ORDER OF ABATEMENT

December 30, 2005

Citation Against: Daniel Mundorff, PT

Citation No. 05-06-0142

First Cause

Violation: Title 16, California Code of Regulations 1398.44
Adequate supervision - Physical Therapist Assistant

A licensed physical therapist shall at all times be responsible for all physical therapy services provided by the physical therapist assistant. The supervising physical therapist has continuing responsibility to follow the progress of each patient, provide direct care to the patient and to assure that the physical therapist assistant does not function autonomously...

Second Cause

Violation: Business and Professions Code Section 2660 (j)

The aiding or abetting of any person to violate this chapter or any regulations duly adopted under this chapter.

Third Cause

Violation: Business and Professions Code Section 2660 (k)

The aiding or abetting of any person to engage in the unlawful practice of physical therapy.

Order of Correction

You are hereby ordered to abate this violation immediately and to cease and desist from further violation.

Failure to comply with the provisions of this Citation and Order of Abatement within 30 days of receipt may result in further legal action.